

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAMES GOTON,

Plaintiff,

No. 2:12-CV-00194 GBW/CG

v.

SIERRA COUNTY SHERIFF'S DEPUTIES
NOAH THOMAS PESTAK, LUIS ORTEGA,
JOE TREJO, JEFF JONES, CLAYTON REID,
and SIERRA COUNTY SHERIFF'S DEPARTMENT,

Defendants.

ORDER

THIS MATTER having come before the Court upon *Defendant Noah Thomas Pestak's Motion to Strike Affidavit of Beverly Goton, or in the Alternative, Motion for Leave to File Surreply by Noah Thomas Pestak* [Doc. 77], the Court having read the pleadings, heard oral argument, and being fully advised in the premises, **FINDS** that this Court has jurisdiction over the parties and of the subject matter of said case and that the Motion should be **DENIED**.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. Defendant's Motion to Strike the Affidavit of Beverly Goton [Doc. 77] is denied.



CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE